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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,903	10/03/2003	Wolfgang Renz	P03,0390	2331
26574 7	590 02/22/2005		EXAM	INER
SCHIFF HARDIN, LLP			ARANA, LOUIS M	
PATENT DEP	ARTMENT			
6600 SEARS TOWER			ART UNIT	PAPER NUMBER
CHICAGO, IL 60606-6473			2859	

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

,	Application No.	Applicant(s)				
	10/678,903	RENZ ET AL.				
Office Action Summary	Examiner	Art Unit				
	Louis M. Arana	2859				
The MAILING DATE of this communication a Period for Reply	appears on the cover sheet with the	correspondence address				
A SHORTENED STATUTORY PERIOD FOR REF THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a r - If NO period for reply is specified above, the maximum statutory perion - Failure to reply within the set or extended period for reply will, by state that the perion of t	N. 1.136(a). In no event, however, may a reply be tirely within the statutory minimum of thirty (30) day od will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDONE	mely filed ys will be considered timely. n the mailing date of this communication. ED (35 U.S.C.§ 133).				
Status						
1) Responsive to communication(s) filed on	·					
2a) ☐ This action is FINAL . 2b) ☑ TI	his action is non-final.					
• • • • • • • • • • • • • • • • • • • •	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
 4a) Of the above claim(s) is/are withd 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-12,16 and 18-20 is/are rejected. 7) ☐ Claim(s) 13-15 and 17 is/are objected to. 	 ✓ Claim(s) 1-12,16 and 18-20 is/are rejected. ✓ Claim(s) 13-15 and 17 is/are objected to. 					
Application Papers						
9) ☐ The specification is objected to by the Exami 10) ☑ The drawing(s) filed on 13 February 2004 is/s Applicant may not request that any objection to the Replacement drawing sheet(s) including the correction. 11) ☐ The oath or declaration is objected to by the	are: a)⊠ accepted or b)⊡ objectented or b)⊡ objectented from objectented in abeyance. Selection is required if the drawing(s) is objection is required if the drawing(s) is objection.	ee 37 CFR 1.85(a). ojected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ■ All b) ■ Some * c) ■ None of: 1. ■ Certified copies of the priority documents have been received. 2. ■ Certified copies of the priority documents have been received in Application No 3. ■ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.						
Attachment(s)	_					
1) Motice of References Cited (PTO-892) 2) Dotice of Draftsperson's Patent Drawing Review (PTO-948)		Interview Summary (PTO-413) Paper No(s)/Mail Date				
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/C Paper No(s)/Mail Date 2.6/04. 		Patent Application (PTO-152)				

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3.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 10-12, 16 and 18-20 rejected under 35 U.S.C. 102(b) as being

anticipated by Dachniwskyj et al. P.N. 5,570,021 (Dachniwskyj).

Dachniwskyj discloses a gradient coil system for a Magnetic Resonance Imaging apparatus. Applicant's attention is directed to Fig. 1 and the description of the same at col. 3 and 4. Gradient coil assembly 12 is attached to cylinder 16 by a layer of epoxy 28. Note also the provision of cooling tubes 46. Dachniwskyj meets all the limitations of the claims at issue.

Claim Rejections - 35 USC § 103

- 4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dachniwskyj as applied to claims 1-4, 10-12, 16 and 18-20 above, and further in view of Takenouchi P.N. 5,332,972 and Otsuka P.N. 5,552,281.

The differences between the prior art as represented by Dachniwskyj and the claims at issue is the shape of the gradient coil carrier. To provide either a barrel shape or separate halves for the gradient coil carrier would have been obvious to the artisan of ordinary skill in the art in view of the teachings of Takenouchi and Otsuka. Takenouchi and Otsuka teach respectively the recited shapes as advantageous for the reduction of acoustic noise in MRI systems.

Allowable Subject Matter

7. Claims 13-15 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Edelstein et al. discloses a gradient coil structure for MRI

systems. Note the abstract of the disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis M. Arana whose telephone number is (571) 272-2236. The examiner can normally be reached on M-Thurs. Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. Gutierrez can be reached on (703) 308-3875. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Louis M. Árana Primary Examiner Art Unit 2859

lma 2/14/05